

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ADLIFE MARKETING &
COMMUNICATIONS CO., INC.,

Plaintiff,

v.

BEST YET MARKET, INC.,

Defendant.

Case No. 17 Civ. 02978 (ADS) (ARL)

JOINT STIPULATION

Plaintiff, Adlife Marketing & Communications Co., Inc. (“Adlife”) and Defendant, Best Yet Market, Inc. (“Best Market”) (collectively, the “Parties”), by and through their respective counsel, hereby agree and jointly stipulate as follows:

WHEREAS, the Parties have proceeded diligently in discovery in good faith;

WHEREAS, the Parties could not complete certain noticed depositions within the discovery period due to scheduling and logistical issues; and

WHEREAS, the Parties have been contemporaneously engaged in settlement negotiations and agreed to a settlement in principle on November 6, 2019, which they are working diligently to commit to writing;

NOW THEREFORE, the Parties hereby agree and stipulate, subject to Court approval, to permit the depositions of the following individuals to be taken after the Discovery Cut-Off on November 8, 2019:

Deponent	Party Taking Deposition
Barry Sussman Expert Deposition	Best Market
Joel Albrizio 30(b)(6) & Personal Deposition	Best Market

Jonathan Sender 30(b)(6) & Personal Deposition (90 minutes)	Adlife
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The Parties agree and stipulate that the deposition of Mr. Sender will be limited to ninety minutes and that the above-referenced depositions will take place on or before November 20, unless otherwise agreed to by both Parties or a witness is unavailable, in order to accommodate the current schedule.

The Parties further agree and stipulate that any employee of the Parties on a witness list for trial must be made available for deposition before trial. These depositions, should they occur, may take place after the close of discovery on November 8, 2019 at a time and location mutually agreed upon by the Parties.

Date: November 6, 2019

Respectfully submitted,

HIGBEE & ASSOCIATES

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Counsel for Defendant Best Yet Market, Inc.

IT IS SO ORDERED:

U.S. Magistrate Judge Arlene R. Lindsay

Dated: _____